

## REMARKS

### A. Amendment

Claims 1, 28, and 29 are amended. Claims 1, 5, 9, 11, and 26–29 are presented for consideration.

### B. Rejections

In the final Office action dated May 13, 2008 (the “Office Action”), the examiner rejected claims 1, 5, 9, 11, and 26–29 under 35 U.S.C. § 102(e) as anticipated by U.S. patent no. 7,149,408 to Kobayashi. The rejections are traversed, and reconsideration and withdrawal of these rejections is respectfully requested in view of the following.

This application relates to methods and apparatus for controlling an image display of data that may be edited, where editing can include varying the rate at which video frames are played back. (*See, e.g.*, Specification at 29, lines 2–23.) Claim 1 reads:

1. An apparatus for controlling an image display comprising:

a determining unit configured to determine whether or not material data is combined with frame rate information as associated information; and

a controller configured to control the image display to display said material data along a time axis in a reproduction order in a frame image representation region, the frame image representation region having a width that is altered according to a reproduction time calculated based on a reproduction speed, the width of the frame image representation region *representing the entire reproduction time of the material data.*

This differs fundamentally from the methods and apparatus discussed in Kobayashi. According to Kobayashi, individual frames that make up a motion picture appear in a grid. (*See, e.g., Fig. 3.*) Each row of the grid represents a time interval called a “display unit,” and each row has one column for each frame presented during the display unit. (*See col. 4, lines 17–26.*) Editing a motion picture, as discussed in Kobayashi, involves direct manipulation of frames, individually and in groups. (*See col. 3, lines 22–26.*)

But the width of any row of frames, according to Kobayashi, does not represent the entire reproduction time. Rather, each row of the grid represents a fixed unit of time (*see col. 4, lines 36–43*), and the width of that row reflects the number of frames displayed in that amount of time (*see, e.g., col. 4, lines 17–26.*). Although varying the frame rate may change the row width, the row width continues to represent only the length of the unit time, not the entire reproduction time. (*See, e.g., col. 5, lines 38–47.*) To the contrary, the entire reproduction time in Kobayashi is the product of the display unit time and the number of rows, neither of which varies directly as a result of varying the frame rate during editing. (*See, e.g., col. 8, lines 26–42.*)

Kobayashi therefore fails to disclose or suggest, as claim 1 sets forth, a controller configured to control the image display to display said material data along a time axis in a reproduction order in a frame image representation region, the frame image representation region having a width that is altered according to a reproduction time calculated based on a reproduction speed, *the width of the frame image representation region representing the entire reproduction time of the material data.*

For these reasons, it is respectfully submitted that claim 1 is allowable over the prior art. Independent claims 28 and 29 include limitations that correspond to the limitations of claim 1 discussed above, and it is respectfully submitted that these claims are therefore also allowable for the same reasons as claim 1. Claims 5, 9, 11, and 26–27 each depend directly or indirectly on independent claim 1, and it is further submitted that these claims are therefore allowable based on their inclusion of allowable subject matter.

C. **Conclusion**

For these reasons, the applicant respectfully requests that the Examiner withdraw the rejections and allow the claims. To expedite prosecution of this application, the Examiner is invited to call the applicant's undersigned representative to discuss any issues relating to this application.

Respectfully submitted,

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